

THOMAS FLOYD BRISSETTE, SR.
D1261|3#A7C123
P.O. BOX 7500
PELICAN, BAY, STATE, PRISON
CRESCENT, CITY, CALIFORNIA, 95531
IN PROPRIA PERSONAM

~~FILED~~
FEB-9 2:00
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THOMAS FLOYD BRISSETTE, SR.
PLAINTIFF

V.

ROD HIGGIN, DEFENDANTS

MOTION AND AFFIDAVIT FOR
EXTENSION OF TIME TO AMMEND
COMPLAINT

NO. 07*03922 VRW(PR)

Come's now Thomas Floyd Brissette, sr., Who is the Plaintiff in the above entitled matter. Do herenow Respectfully Request to be heard in the above entitled court at 9am on the 7th day of Febuary of 2008, or as soon as the court's calender will allow it.

Plaintiff Is representing hemsself in propri personam, and a layman at law. Request an extension of time of sixtyfive days to amend the above entitled matter.

ON 11*29*2007 this court granted plaintiff Apllication to Proceed IN FOMRA PAUPERIS, the court alson instructed plaintiff to amend plaintiff's complaint. Plaintiff sent a letter to the court requesting information, and explaining plaintiff's current situation here at Pelican, Bay, State, Prison. The court sent plaintiff back an order with an extension of time until January 31st. 2008 to amend plaintiff's complaint. Due to the fact that plaintiff was already working on another complaint


case number C 057*626 (VRW)(PR) at a complete lost trying to understand the complex nature of the case law that was cited by Defendant's Summary Judgement Request with the same Deadline date of January 31st of 2008.

The easiest way to say it, Plaintiff is not smart enough to work on more than one case at a time. Plaintiff has been harassed and retaliated against so much that plaintiff has not been able to meet the deadline, that was set for the other complaint which was also set for January 31st, 2008. Plaintiff has requested an extension of time for that case as well. Due to circumstances out of plaintiff's control. Currently it is impossible for plaintiff to be able to work on summary judgement for case no. C 057*626 VRW(PR), and amend the complaint for this case. The Defendant's has placed the inmate who was helping plaintiff with plaintiff's legal matter's in Administrative Segregation Leon Davis, and I am not allowed contact with. Plaintiff has been moved from cell to cell to building to building. has been placed in a job assignment that requires plaintiff to be out of plaintiff cell from 7.15 to 3.00 in the afternoon, Defendant's keep playing with the dosage and time that plaintiff is to get plaintiff's narcolepsy medication. Which causes plaintiff to sleep, during time's when plaintiff should have been working, on this and the other complaint. Also plaintiff has only been being allowed one day out of a week in the law library for two hours, two and a half at most. I've been called typewriter boy, had a mini 14 assault rifle pointed at plaintiff, plaintiff's walking aid has been taken, after it was reissued. Just like plaintiff said, plaintiff's prescription transition eyeglasses has been taken. And a whole host of things that this court may or may not want to hear about. For these reasons and more plaintiff Request that the extension of time be granted, and start on the 31st. Day of January Of 2008 and to end on the 16th Day of April of 2008.

Plaintiff Thomas Floyd Brissette, Do here now swear under the penalty of perjury that the foregoing is true and correct to the best of his

knowledge. Executed on this 31st Day Of January Of 2008 in Pelican Bay,
State Prison, in the city of Crescent City, State of California 95531

by:


THOMAS FLOYD BRISSETTE, SR,
IN PROPRIA PERSONAM

PROOF OF SERVICE BY MAIL

(C.C.P. Sec. 101a #2015-5, U.S.C. Sec. 1746)

I, BRISSETTE, MONAS, am a resident of Pelican Bay State Prison, in the County of
Del Norte, State of California. I am over the age of eighteen (18) years and am a party to this action.

My State Prison address is: Pelican Bay State Prison, P.O. Box 7500, Housing Unit 7 Cell 123
Number 123, Crescent City, CA 95532-7500.

On the 4th day of Feb. 2008, I served the following (set forth the exact
title of document[s] served):

EXTENSION OF TIME

On the party(s) herein by placing a true copy(s) thereof, enclosed in a sealed envelope(s), with
postage thereon fully paid, in the United States mail, in a receptacle so provided at Pelican Bay State
Prison, Crescent City, CA 95532, and addressed as follows:

OFFICE OF THE ATTORNEY GENERAL
455 GOLDEN GATE #11000
SAN FRANCISCO 94102

OFFICE OF THE CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
425 GOLDEN GATE AVE 94102

I declare under penalty of perjury that the foregoing is true and correct:

Inmate Signature

Date